

### **REMARKS/ARGUMENTS**

Claims 1–27 are pending in the captioned application. In the previous Response mailed August 8, 2003, Applicants elected, with traverse, to prosecute the claims of Group III, namely claims 14–23; accordingly, all other claims stand provisionally withdrawn. However, Applicants continue to maintain that the restriction is improper for the reasons set forth in the previous Response.

The Examiner has objected to the previous amendment as non-responsive stating, “Applicants failed to elect a single species of subgroups 3 and 4...Applicants requested clarification in the Response to the Restriction requirement...”

The Examiner continues, “To this end the Examiner notes that while Subgroup 1 refers to the chemical nature of the library (i.e., Applicants elected proteins that comprise three zinc fingers) this election does not disclose the position of randomization and the nature and/or number of libraries used to randomize said position (i.e., subgroup 3) or the actual sequences found in the library (i.e., subgroup 4...)”.

In response, Applicants elect, subject to the traversal set forth in the previous Response, which is still maintained, to elect for subgroup 3, the set of libraries and proteins recited in claim 10, namely the set that comprises “60 libraries in three groups of 20 libraries with specified amino acids at the –1 and +3 and +6 positions respectively”.

Appl. No. 09/787,228  
Amendment dated February 2, 2005  
Reply to Office action of January 13, 2005

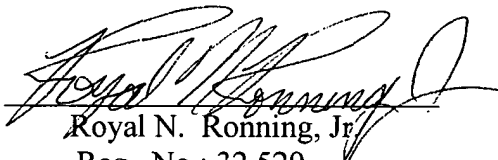
Further, and subject to the same traversal, for subgroup 4, Applicants elect the species of proteins set forth in claim 12, namely protein has the sequence SEQ ID NO: 2.

Applicants gratefully acknowledge the Examiner's comment in this Notice of Non-Compliance and respectfully assert that this Response is now complete.

In view of the foregoing, Applicants respectfully submit that the Response previously filed, taken in connection to the instant Response, is now complete, and respectfully request the Examiner to allow the pending claims.

Respectfully submitted,

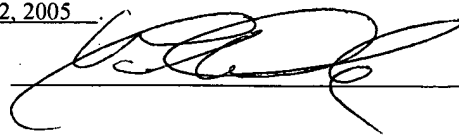
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on  
February 2, 2005

Signature: 

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